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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,411	06/07/2001	Junichi Toyoda	09792909-5067	7306

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/876,411	<b>Applicant(s)</b> TOYODA ET AL.	
	<b>Examiner</b> Thjuan P Knowlin	<b>Art Unit</b> 2642	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Paulick (US 5,710,987).
2. In regards to claims 1 and 2, Paulick discloses a communication apparatus (radiotelephone/pager unit 100) comprising: an antenna (radiotelephone antenna 108) for transmitting and/or receiving a wireless signal (col. 2 lines 31-33), an input and output means for receiving as input a signal from a user apparatus and/or outputting a signal to the user apparatus, a signal processing circuit (radiotelephone transceiver circuitry 224) for generating a wireless signal corresponding to the signal input by the input and/or output means and transmitting the wireless signal through the antenna and generating a signal corresponding to the wireless signal received by the antenna and outputting the signal through the input and/or output means (col. 3 lines 4-19), a conductive case (front housing 102 and shielded portion 204) for surrounding and housing all or part of the signal processing circuit (see Fig. 1 and Fig. 2), an electric wave absorber (pager antenna 212 and contacts 308 and 310) with one surface in contact with a predetermined area of the conductive case for absorbing an electric

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wave, and a conductive layer (rear housing portion 104) formed on another surface of the electric wave absorber and electrically connected to the conductive case (col. 3 lines 20-25 and col. 3 lines 38-46).

3. In regards to claims 3, 7, 8, 9, 12, 13, 15, and 16, Paulick discloses a portable telephone comprising: an antenna for transmitting and/or receiving a wireless signal (col. 2 lines 31-33); a microphone (microphone 116) for generating a sound signal corresponding to an input sound; a transmitting and receiving circuit for generating a wireless signal corresponding to said sound signal generated by said microphone and transmitting said wireless signal through said antenna and generating a sound signal corresponding to said wireless signal received by said antenna (col. 3 lines 4-19); a receiver for outputting sound corresponding to said sound signal generated by said transmitting and receiving circuit (pager receiver circuitry 218) (col. 3 lines 4-19); a shield case (housing 102 and shielded portion 204) for surrounding and housing all or part of said transmitting and receiving circuit and being conductive; an electric wave absorber (pager antenna 212 and contacts 308 and 310) with one surface in contact with a predetermined area of the shield case for absorbing an electric wave; and a conductive layer (rear housing portion 104) formed on another surface of the electric wave absorber and electrically connected to the shield case (col. 3 lines 20-25 and col. 3 lines 38-46).

4. In regards to claims 4 and 14, Paulick discloses a portable telephone, wherein said transmitting and receiving circuit comprises: a transmitting circuit (transceiver circuitry 224) for generating a wireless signal corresponding the sound signal from the

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microphone and transmitting the wireless signal through the antenna (col. 3 lines 4-19); a receiving circuit (pager receiver circuitry 218) for generating a sound signal in response to the wireless signal received by the antenna and outputting the sound signal to the receiver (col. 3 lines 4-19); a printed circuit board (printed circuit board 226) mounting the transmitting circuit and the receiving circuit (see Fig. 2), and the shield case (housing 102 and shielded portion 204) surrounds and houses all or part of the transmitting and receiving circuit to prevent electromagnetic interference between the transmitting and receiving circuit and the antenna (col. 3 lines 26-36).

5. In regards to claims 5, 6, 10, and 11, Paulick discloses a portable telephone, wherein said electric wave absorber is arranged at an area at the surface of said shield case close to the human head at the time of a call (see Fig. 3 and Fig. 4 and col. 3 lines 38-46).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Krenz et al (US 5,170,173) teach an antenna coupling apparatus for cordless telephone. White et al (US 6,532,152) teach a ruggedized hand held computer.

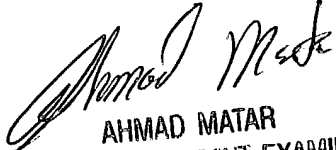
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

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8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin

  
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